

LARSON & ZIRZOW, LLC
810 S. Casino Center Blvd., Suite 101
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169

LARSON & ZIRZOW, LLC
ZACHARIAH LARSON, ESQ.
Nevada Bar No. 7787
E-mail: zlarson@lzlawnv.com
MATTHEW C. ZIRZOW, ESQ.
Nevada Bar No. 7222
E-mail: mzirzow@lzlawnv.com
810 S. Casino Center Blvd. #101
Las Vegas, Nevada 89101
Telephone: (702) 382-1170
Facsimile: (702) 382-1169
Attorneys for Appellants/Cross-Appellees

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

In re:	Case No. 2:14-cv-01250-RFB Case No. 2:14-cv-01163-RFB
DANIEL TARKANIAN and AMY TARKANIAN,	Case No.: BK-S-13-20495-MKN Chapter 7
Debtors.	

DANIEL TARKANIAN and AMY TARKANIAN,	BK Appeal Reference No. 14-40
Appellants,	
v.	
FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver for La Jolla Bank, FSB,	
Appellee.	

FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver for La Jolla Bank, FSB,	STIPULATION AND ORDER FOR DISMISSAL OF APPEALS WITH PREJUDICE
Cross-Appellant,	
v.	
DANIEL TARKANIAN and AMY TARKANIAN,	
Cross-Appellees.	

Appellants/Cross-Appellees, Daniel Tarkanian and Amy Tarkanian (collectively, the “Debtors” or “Appellants”), by and through their counsel, the law firm of Larson & Zirzow, LLC, and Appellee/Cross-Appellants, the Federal Deposit Insurance Corporation, as Receiver for La Jolla FSB (the “FDIC-R” and together with the Debtors, the “Parties”), by and through its counsel, the law firms of Nossaman, LLP and Sylvester & Polednak, Ltd., hereby respectfully stipulate and agree (the “Stipulation”) as follows:

1. On December 19, 2013, the Debtors filed their voluntary petition for relief under chapter 7 of title 11 of the United States Code in the United States Bankruptcy Court for the District of Nevada (the “Bankruptcy Court”), being Case No. BK-S-13-20495-MKN (the “Chapter 7 Case”). William A. Leonard, Jr. (the “Trustee”) was appointed as the chapter 7 trustee over the Appellants’ Chapter 7 Case. The FDIC-R, who is the Appellants’ largest creditor, prosecuted the matters giving rise to the underlying decisions that form the basis of the above-captioned appeals (collectively, the “Appeals”).

2. This Court has jurisdiction over the Appeals and this Stipulation pursuant to 28 U.S.C. § 158(a).

3. On February 12, 2015, the Debtors filed with the Bankruptcy Court a *Motion to Approve Settlement Pursuant to Bankruptcy Rule 9019 and to Dismiss All Claims Asserted in the Adversary Proceeding Including All Claims Seeking Denial of Discharge Pursuant to 11 U.S.C. § 727 and Objecting to Discharge Pursuant to 11 U.S.C. § 523* (the “Settlement Motion”) [ECF No. 274].¹ The Settlement Motion sought approval from the Bankruptcy Court pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rule(s)”) of a proposed global settlement and compromise agreement between the Parties (the “Settlement Agreement”).²

¹ All ECF number references are to the docket numbers in the Debtors’ Chapter 7 Case pending before the Bankruptcy Court. To the extent necessary, the Parties respectfully request that this Court take judicial notice of such underlying pleadings filed in the Bankruptcy Court pursuant to Fed. R. Evid. 201.

² Unless otherwise indicated, all capitalized terms herein shall have the same meaning as set forth in the Settlement Agreement. Nothing herein is intended or should be construed as altering or amending the Settlement Agreement.

1 4. On March 30, 2015, the Bankruptcy Court entered an *Order Granting Motion to*
2 *Approve Settlement Pursuant to Bankruptcy Rule 9019 and to Dismiss All Claims Asserted in the*
3 *Adversary Proceeding Including All Claims Seeking Denial of Discharge Pursuant to 11 U.S.C.*
4 *§ 727 and Objecting to Discharge Pursuant to 11 U.S.C. § 523* (the “Settlement Order”) [ECF
5 No. 52], thereby approving the Settlement Agreement in its entirety, and further authorizing and
6 approving the Parties to effectuate and implement the Settlement Agreement in accordance with
7 the terms and conditions.

8 5. Among other matters, and subject to the specific terms and conditions therein,
9 including but not necessarily limited to the receipt of an Initial Payment, the Settlement
10 Agreement provides that after receipt of the Initial Payment and confirmation of the same in
11 readily available funds, the Parties would thereafter submit this Stipulation seeking the dismissal
12 of the Appeals with prejudice. Further, by having made the Initial Payment and authorizing the
13 submission of this Stipulation to this Court, the Parties further represent and warrant to each
14 other that the Settlement Order is a “Final Order” within the meaning of the Settlement
15 Agreement and/or the Parties have otherwise waived that requirement under the Settlement
16 Agreement, and further that no present, existing defaults exist under the Settlement Agreement
17 such that it may be implemented in accordance with the terms and conditions therein.

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NOW, THEREFORE, based on the foregoing, the Parties hereby respectfully request that these Appeals be fully and finally DISMISSED WITH PREJUDICE pursuant to Bankruptcy Rule 8001(c)(2), with each side to bear its own attorneys' fees and costs herein.

Dated: April 13, 2015

By: /s/ Matthew C. Zirzow
LARSON & ZIRZOW, LLC
ZACHARIAH LARSON, ESQ.
Nevada Bar No. 7787
E-mail: zlarson@lzlawnv.com
MATTHEW C. ZIRZOW, ESQ.
Nevada Bar No. 7222
E-mail: mzirzow@lzlawnv.com
810 S. Casino Center Blvd. #101
Las Vegas, Nevada 89101

Attorneys for Appellants/Cross-Appellees

By: /s/ Janice Mock
NOSSAMAN LLP
JANICE MOCK, ESQ. (*pro hac vice*)
E-mail: jmock@nossaman.com
50 California Street, 34th Floor
San Francisco, CA 94111
Telephone: (415) 398-3600
Facsimile: (415) 398-2438

and

SYLVESTER & POLEDNAK, LTD.
ALLYSON R. NOTO
Nevada Bar No. 008286
allyson@sylvesterpolednak.com
1731 Village Center Circle
Las Vegas, NV 89134
Telephone: 702.952.5200
Facsimile: 702.952.5205

Attorneys for Appellee/Cross-Appellant

IT IS SO ORDERED.



RICHARD F. BOULWARE, II
United States District Judge

DATED this 21st day of April, 2015.

LARSON & ZIRZOW
810 S. Casino Center Blvd., Suite 101
Las Vegas, Nevada 89101
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